

*Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.*

## New Rules

### ■ MEDICAL TRAINING

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION adopted amendments to Medical Practice Act of 1987 (68 IAC 1285; 39 Ill Reg 10341) effective 3/4/16, adding Part IV of the examination of the National Board of Chiropractic Examiners and adding mandatory reporting requirements for directors of post-graduate clinical training programs of individuals leaving the program prior to completion. Since 1<sup>st</sup> Notice, DFPR has clarified the timeframe for program directors to fulfill the reporting requirement, and has clarified that "separation" from a clinical training program does not include approved leaves of absence for vacations, maternity/paternity leave, or other common reasons. Also, an effective date of 7/1/16 has been added for the chiropractic examination

requirement. Medical schools, residency programs, and other post-graduate medical training programs will be affected.

Questions/requests for copies: Craig Cellini, DFPR, 320 W. Washington, 3<sup>rd</sup> Fl., Springfield IL 62786, 217/785-0813, Fax: 217/557-4451.

### ■ INSURANCE

The DEPARTMENT OF INSURANCE adopted a new Part titled Selection of Senior Management (50 IAC 1710; 39 Ill Reg 14822) effective 2/22/16 to implement Public Act 98-814. The rule prescribes selection standards and qualifications for a Chief Executive Officer (CEO) of a domestic fraternal benefit society. The Part recites statutory language stating that a domestic fraternal benefit society providing

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## Proposed Rulemakings

### ■ IMMUNIZATIONS

The DEPARTMENT OF PUBLIC HEALTH proposed amendments to the Part titled Child Health Examination Code (77 IAC 665; 40 Ill Reg 3429) and proposed repeal of the Part titled Immunization Code (77 IAC 695; 40 Ill Reg 3473). All child/student immunization rules currently contained in Part 695, including requirements for immunization against meningococcal disease (meningitis) that took effect for the 2015-16 school year, are being moved to Part 665. The rulemaking clarifies that immunization requirements for students entering 12<sup>th</sup> grade apply to special education students eligible to remain in school beyond 12<sup>th</sup> grade. Polio vaccination requirements for children entering preschool/day care, children entering

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**NEW RULES:** Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.

**PROPOSED RULES:** Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.

**PEREMPTORY RULES:** Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.

■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.

**QUESTIONS/COMMENTS:** Submit mail, email or phone calls to the agency personnel listed below each summary.

**RULE TEXT:** Available on the Secretary of State ([www.cyberdriveillinois.com](http://www.cyberdriveillinois.com)) and General Assembly ([www.ilga.gov](http://www.ilga.gov)) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

# Proposed Rulemakings

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kindergarten beginning with the 2016-17 school year, and children entering programs without assigned grade levels are clarified. Advanced practice nurses and physician assistants (in addition to physicians) may provide documentation that a child is already immune to a disease for which immunization would normally be required, and may document medical objections to an immunization. The rulemaking also implements PA 99-249, establishing a process by which parents may obtain a Certificate of Religious Objection to immunizations, examinations, or screenings. The certificate must specify the grounds for the objection and the specific procedures to which the parent objects. This rulemaking affects public and private schools, day care providers, and health care providers.

DPH also proposed amendments to College

Immunization Code (77 IAC 694; 40 Ill Reg 3460) adding vaccinations against meningococcal disease and pertussis and proof of vaccination against measles, mumps and rubella (MMR) to health requirements for incoming students at Illinois higher education institutions, beginning with the 2016-17 fall term. Students must document reception of at least one dose of Tdap vaccine within the previous 10 years, at least one dose of meningococcal vaccine on or after their 16<sup>th</sup> birthday, and proof of immunization or immunity against MMR. An existing immunization exemption for students born before 1957 is narrowed to apply only to MMR vaccinations. Prospective college/university students and public and private institutions of higher education are affected.

Questions/requests for copies/comments on the 3 DPH rulemakings through 4/18/16: Elizabeth Paton, DPH, 535 W.

Jefferson St., 5<sup>th</sup> Fl., Springfield IL 62761, 217/782-2043, [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)

## SCHOOL BUS DRIVERS

The SECRETARY OF STATE proposed amendments to School Bus Driver Permit (92 Ill Adm Code 1035; 40 Ill Reg 3493) updating the incorporation by reference of 49 CFR 391 to October 1, 2015. Also, SOS is clarifying that all medical examinations must be performed in accordance with the instructions on the SOS Physical Examination and Certificate for Illinois School Bus Driver form.

Questions/requests for copies/comments through 4/18/16: Jennifer Egizii, SOS, 2701 S. Dirksen Parkway, Springfield IL 62723, 217/557-4462.

## HOSPITAL FINANCIAL AID

The OFFICE OF THE ATTORNEY GENERAL proposed amendments to Hospital Financial Assistance under the Fair Patient Billing Act (77 IAC 4500; 40 Ill Reg 3425) that update the Federal Poverty Level income figures upon which eligibility for the program is based. Annual income eligibility thresholds are increasing by \$10 to \$110, depending on household size.

Questions/requests for copies/comments through 4/18/16: Lynn Patton, Office of the Attorney General, 500 S. 2<sup>nd</sup> St., Springfield IL 62706, 217/524-1504.

# New Rules

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benefits under the Illinois Insurance Code must be governed by a board of directors. Qualifications of a president or CEO in a domestic fraternal benefit society include at least 5 years insurance industry or industry regulatory experience and at least 2 of the following qualifications: a working knowledge of financial accounting; a bachelor's degree

from an accredited university or equivalent combination of education and financial industry experience; prior management experience; or demonstrated superior judgment, analytical ability, communication skills or leadership.

Questions/requests for copies: James Rundblom, DOI, 320 W. Washington St., 4<sup>th</sup> Fl., Springfield IL 62767-0001, 217-785-8559, Fax: 217-524-9033.

## Second Notices

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The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the Committee's March 8, 2016 meeting. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

### **DEPT OF CHILDREN AND FAMILY SERVICES**

Access to and Eligibility for Child Welfare Services (89 IAC 304; 39 III Reg 7049)  
proposed 5/22/15

Administrative Case Reviews and Court Hearings (89 IAC 316; 39 III Reg 7080)  
proposed 5/22/15

Adoption Services for Children for Whom the Department of Children and Family Services is  
Legally Responsible (89 IAC 309; 39 III Reg 7061) proposed 5/22/15

Appeal of Foster Family Home License Denials by Relative Caregivers  
(89 IAC 338; 39 III Reg 7102) proposed 5/22/15

Authorized Child Care Payments (89 IAC 359; 39 III Reg 7109) proposed 5/22/15

Interstate Placement of Children (89 IAC 328; 39 III Reg 7086) proposed 5/22/15

Licensing Standards for Foster Family Homes (89 IAC 402; 39 III Reg 7114) proposed 5/22/15

Permanency Planning (89 IAC 315; 39 III Reg 7070) proposed 5/22/15

Placement and Visitation Services (89 IAC 301; 39 III Reg 7020) proposed 5/22/15

Reports of Child Abuse and Neglect (89 IAC 300; 39 III Reg 7004) proposed 5/22/15

Service Appeal Process (89 IAC 337; 39 III Reg 7092) proposed 5/22/15

Services Delivered by the Department of Children and Family Services  
(89 IAC 302; 39 III Reg 7038) proposed 5/22/15

### **DEPT OF HUMAN SERVICES**

Lekoteks (Repealer) (89 IAC 899; 39 III Reg 16381) proposed 12/28/15